



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

## BOARD OF DIRECTORS' REGULAR MEETING

December 4, 2002

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:45 a.m. in the 7<sup>th</sup> floor Board room at the Air District headquarters, 939 Ellis Street, San Francisco, California.

### Questions About an Agenda Item

The name, telephone number and e-mail of the appropriate staff person to contact for additional information or to resolve concerns is listed for each agenda item.

### Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:45 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

# BOARD OF DIRECTORS' REGULAR MEETING A G E N D A

**WEDNESDAY  
DECEMBER 4, 2002  
9:45 A.M.**

**BOARD ROOM  
7TH FLOOR**

## **CALL TO ORDER**

Opening Comments  
Roll Call  
Pledge of Allegiance  
Commendations/Proclamations

Randy Attaway, Chairperson  
Clerk of the Boards

## **PUBLIC COMMENT PERIOD**

**Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3**  
*Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Board's subject matter jurisdiction. Speakers will be limited to five (5) minutes each.*

## **CONSENT CALENDAR (ITEMS 1 – 6 )**

**Staff/Phone (415) 749-**

1. Minutes of November 27, 2002

**M. Romaidis/4965**  
[mromaidis@baaqmd.gov](mailto:mromaidis@baaqmd.gov)

2. Communications

**W. Norton/5052**  
[exec@baaqmd.gov](mailto:exec@baaqmd.gov)

*Information only*

3. Report of the Advisory Council

**R. Sawyer/4962**  
[rsawyer@me.berkeley.edu](mailto:rsawyer@me.berkeley.edu)

4. Report of District Personnel on Out of State Business Travel

**W. Tanaka/5066**  
[wtanaka@baaqmd.gov](mailto:wtanaka@baaqmd.gov)

*District personnel on out of state business travel for the month of November.*

5. Authorization for Execution of Purchase Order in Excess of \$35,000

**W. Tanaka/5066**  
[wtanaka@baaqmd.gov](mailto:wtanaka@baaqmd.gov)

*Pursuant to the District's Administrative Code Division II, Section 4.3. Fiscal Policies and Procedures, staff requests the Board authorize the Executive Officer/APCO to execute a contract with NEKO Industries in an amount not to exceed \$56,322 for document imaging hardware and software equipment to be in the Administrative Services Division. Funding for this purchase will come from the Administrative Services and Information System Services Divisions.*

6. Consider Establishing New Classification of Air Quality Case Settlement Specialist I/II and Allocation of New Classification to Range 126 and 130, respectively on the Technical/General Salary Schedule and Modification of Existing Classification of Air Quality Specialist I/II

W. Norton/5052  
[exec@baaqmd.gov](mailto:exec@baaqmd.gov)

B. Bunger/4797  
[bbunger@baaqmd.gov](mailto:bbunger@baaqmd.gov)

*Approve establishment of new classification of Air Quality Case Settlement Specialist I/II and allocated the "I" level to Range 126 (\$25.21 - \$30.64 per hr.) and the "II" level to Range 130 (\$27.79 - \$33.78 per hr.) on the Technical/General salary schedule and approve modification of existing class description for the Air Quality Specialist I/II classification.*

## **PRESENTATION**

7. Overview of EPA's New Source Review Reforms

W. Norton/5052  
[exec@baaqmd.gov](mailto:exec@baaqmd.gov)

*Staff will give the Board of Directors an overview of EPA's final New Source Review Reform package that was released on November 22, 2002.*

## **COMMITTEE REPORTS AND RECOMMENDATIONS**

8. Report of the **Nominating Committee** Meeting of November 27, 2002

CHAIR: R. ATTAWAY

W. Norton/5052  
[exec@baaqmd.gov](mailto:exec@baaqmd.gov)

*Approve Committee recommendations of Board of Director Officers for the 2003/2004 term of office.*

## **OTHER BUSINESS**

9. Recognition Awards for Board Members Leaving the Board

W. Norton/5052  
[exec@baaqmd.gov](mailto:exec@baaqmd.gov)

*The Board of Directors will recognize Board members leaving the Board.*

10. Report of the Executive Officer/APCO
11. Chairperson's Report

## **CLOSED SESSION**

12. Conference with Legal Counsel

Existing Litigation:

*Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following cases:*

- A) Delta Energy Center and Pittsburg Energy Center (Los Medanos Energy Center), U.S. Environmental Protection Agency, Office of Civil Rights, Title VI Complaint, ID No. 2R-00-R9
- B) Santa Teresa Citizen Action Group, City of Morgan Hill, Californians for Renewable Energy, Inc. and Demand Clean Air v. Environmental Appeals Board of the United

States Environmental Protection Agency, U.S. Court of Appeals for the 9<sup>th</sup> Circuit, Case No. 01-71611

- C) City of Morgan Hill, Santa Teresa Citizen Action Group, Inc., Demand Clean Air, Inc. and Californians for Renewable Energy, Inc. v. Hearing Board of the Bay Area Air Quality management District and the Air Pollution Control Officer, San Francisco County Superior Court, Case No. CPF-02-501624

### **OPEN SESSION**

13. Board Members' Comments

*Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may; ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

14. Place of Next Meeting - 9:45 a.m., Wednesday, December 18, 2002 -939 Ellis Street, San Francisco, CA 94109

15. Adjournment

WN:mag